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Attorney for Defendant

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

UNITED STATES OF AMERICA,

Case No.: 3:20-cr-00501-SI-1

Plaintiff,

DEFENDANT'S UNOPPOSED MOTION
TO CONTINUE TRIAL DATE

v.

TY JOHN FOX,

Defendant.

Defendant, Ty John Fox, by counsel, Scott Mullins, moves this Court for a 90-day continuance of the current trial date of November 2, 2021. Assistant United States Attorney, Thomas Ratcliffe, advised that the Government has no objection to this continuance.

Defendant was arraigned on or about October 23, 2020. Undersigned counsel was appointed as substitute counsel on September 21, 2021. The current trial date does not provide sufficient time for undersigned counsel to review and analyze discovery, confer with Mr. Fox on his criminal charges, and investigate the case.

Further, the parties anticipate Mr. Fox's federal offense will be dismissed upon the resolution of Mr. Fox's related state charges, which involve some of the same conduct. At this time, it is unclear when Mr. Fox's state charges will resolve.

Mr. Fox is in state custody at the Multnomah County Detention Center. Mr. Fox has been advised of his rights to a speedy trial both by the Constitution and by statute and he waives his right to a speedy trial. Mr. Fox agrees the time period within this continuance constitutes excludable delay pursuant to 18 U.S.C. §3161(h)(7).

This motion is based on the declaration of counsel filed contemporaneously herewith.

Dated: September 28, 2021.

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